

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

AS AMENDED

BILL NO. 93-67 (AS AMENDED)

Introduced by Council President Wilson at the request of the County Executive  
Legislative Day No. 93-22 Date September 7, 1993

AN ACT to repeal and reenact with amendments, Section 256-13, Water and Sewer Plan, of Article I, General Provisions, of Chapter 256, Water and Sewers, of the Harford County Code, as amended, to provide for the establishment of the Water and Sewer Plan as part of the Harford County Code and to further provide that a copy of said Water and Sewer Plan, along with all amendments, ~~is attached to this Act and made a part hereof as though it were fully stated herein.~~ adopted for submission to the Maryland Department of the Environment for its approval and implementation pursuant to Title 9 of the Environment Article of the Maryland Annotated Code.

By the Council, September 7, 1993

Introduced, read first time, ordered posted and public hearing scheduled  
on: October 5, 1993

at: 6:45 p.m.

By Order: James D. Vannoy, Acting Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on October 5, 1993, and concluded on, October 5, 1993

James D. Vannoy  
Acting Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

1 Section 1. Be It Enacted by the County Council of Harford County,  
2 Maryland, that Section 256-13, Water and Sewer Plan, of Article I,  
3 General Provisions, of Chapter 256, Water and Sewers, of the  
4 Harford County Code, as amended, be, and is hereby, repealed and  
5 reenacted with amendments, all to read as follows:

6 Chapter 256. Water and Sewers.

7 Article I. General Provisions.

8 Section 256-13. Water and Sewer Plan.

9 ~~The Water and Sewer Plan, as amended, [dated November 10,~~  
10 ~~1992,] is incorporated herein by reference as part of this Chapter~~  
11 ~~as though it were fully stated herein, and is adopted and amended~~  
12 ~~in accordance with state law and regulations of the State~~  
13 ~~Department of the Environment.~~

14 A. It shall be the duty and responsibility of the Director  
15 of the Department of Public Works to ensure that timely  
16 reviews and amendments of the Water and Sewer Plan are  
17 recommended to the Council.

18 B. The Director of the Department of Public Works shall  
19 ensure that, no later than the first legislative session  
20 in the months of March and September of each year, a  
21 review of the plan and any recommendations he/she may  
22 have are forwarded to the Council in a form and manner  
23 that, upon adoption by the Council and approval by the  
24 Maryland Department of the Environment, shall be the new  
25 plan.

26 C. It is the responsibility of the owner of a property, or  
27 a designated representative of the owner of a property,

1 to submit a request in writing to have the status of  
2 their property amended in the Water and Sewer Plan. All  
3 requests for amendments to the Water and Sewer Plan shall  
4 be filed with the Department of Public Works who shall  
5 review and forward the request to the Council with such  
6 recommendations as it shall deem appropriate. All such  
7 requested revisions shall be submitted by the deadlines  
8 of February 1 or August 1 as is appropriate to the next  
9 semi-annual update of the plan. Should a property owner  
10 require the amendment within six (6) months of deadline  
11 for application for the previous update, a fixed  
12 processing fee of \$2,000 shall be borne by that party.

13 D. The Water and Sewer Plan, as amended, shall be effective  
14 after the County Council takes its action on the  
15 amendment, revision or reenactment and after Maryland  
16 Department of the Environment approval.

17 E. The County Council's adoption of an amendment or revision  
18 to the Plan does not guarantee that an owner will be  
19 permitted to develop the property.

20 F. The amended Plan will then be submitted to the Maryland  
21 Department of the Environment for State review and  
22 approval.

23 G. All reviews of the Plan shall include a review of the  
24 effect any changes may have on the funding of the system.

25 H. When deciding whether to change the status of a property  
26 in the Plan, the County Council may consider any of the

following items that ~~have not been completely addressed~~  
ARE NOT CONSIDERED by the preliminary plan approval  
process:

- (1) The capacity of the section of the water or sewerage  
system in question;
- (2) The need for additional revenue to support capital  
programs; ~~AND~~
- (3) The probability of development occurring within an  
appropriate time frame[;]-i
- [(4) A specific issue of environmental protection;
- (5) A specific issue of public health and safety; and/or
- (6) The adequacy of other facilities in the area.

I. The Council may choose to reject a proposed change for  
a property if adequate information is not available to  
judge the appropriateness of the proposed change under  
section 267-104 of this Code.]

(4) A SPECIFIC ENVIRONMENTAL CONCERN THAT IS DIRECTLY  
AFFECTED BY OR THAT DIRECTLY AFFECTS THE PROPOSED  
PROVISION OF WATER AND SEWERAGE SERVICES OR  
FACILITIES TO THE PROPERTY; AND

(5) A SPECIFIC PUBLIC HEALTH AND SAFETY CONCERN THAT IS  
DIRECTLY AFFECTED BY OR THAT DIRECTLY AFFECTS THE  
PROPOSED PROVISION OF WATER AND SEWERAGE SERVICES  
OR FACILITIES TO THE PROPERTY.

I. EVEN IF A PROPERTY MEETS THE CRITERIA FOR INCLUSION IN  
THE S3-W3 CATEGORY, A PROPOSED CHANGE TO THAT CATEGORY FOR THE

1 PROPERTY MAY BE REJECTED IF THERE IS NOT ADEQUATE INFORMATION TO  
2 EVALUATE THE PARAMETERS IN SUBSECTION H OF THIS SECTION.

3 J. THE MASTER WATER AND SEWER PLAN FALL, 1993 UPDATE IS  
4 ADOPTED AND SHALL BE SUBMITTED TO THE MARYLAND DEPARTMENT  
5 OF THE ENVIRONMENT FOR ITS APPROVAL AND IMPLEMENTATION  
6 PURSUANT TO TITLE 9 OF THE ENVIRONMENT ARTICLE OF THE  
7 MARYLAND ANNOTATED CODE.

8 Section 2. And Be It Further Enacted that this Act shall take  
9 effect sixty (60) calendar days after the date it becomes law.

EFFECTIVE: January 18, 1994

93-67

AS AMENDED

HARFORD COUNTY BILL NO. 93-67 (as amended)

(Brief Title) Water & Sewer Plan

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

James D. Vannoy  
Acting Secretary  
of the Council

[Signature]  
President of the Council

Date November 12, 1993

Date November 12, 1993

BY THE COUNCIL

Read the third time.

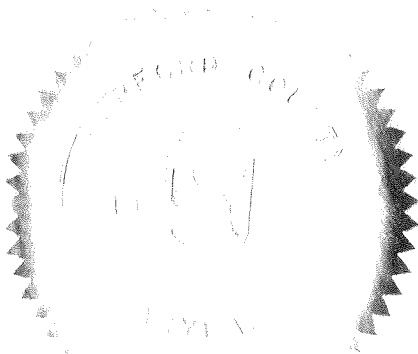
Passed: LSD 93-30 (November 9, 1993)

Failed of Passage: \_\_\_\_\_

By Order

James D. Vannoy  
Acting Secretary

Sealed with the County Seal and presented to the County Executive for approval this 12th day of November, 1993 at 3:00 p. m.



James D. Vannoy  
Acting Secretary

BY THE EXECUTIVE

Eileen M. Kellerman  
COUNTY EXECUTIVE

APPROVED: Date November 15, 1993

BY THE COUNCIL

This Bill (No. 93-67, as amended), having been approved by the Executive and returned to the Council, becomes law on November 15, 1993.

James D. Vannoy  
Acting Secretary

EFFECTIVE DATE: January 18, 1994

93-67

AS AMENDED